

Application Serial No. 10/524,695
Reply to Office Action of March 17, 2009

PATENT
Docket: CU-4085

REMARKS

In the Office Action, dated September March 17, 2009, the Examiner states that claims 21-22 and 24 are pending and are under examination. In the Office Action, the Examiner objected to the specification and drawings, rejected claims 21-22 and 24 under 35 U.S.C. §112, first and second paragraphs. The Examiner also rejected claims 21-22 and 24 under 35 U.S.C. §102(b). By the present Amendment, the Applicant amends the claims. The Applicant asserts that the rejections of the claims are overcome by amendment and/or are traversed by argument below.

In the claims, please amend Claim 21 for clarity. Claim 21 is amended to clarify that each of the pipe ends has a flange and that in between the first and second pipe end, and therefore, in between the first and second flange, is a seal. These amendments are made for clarity and are fully supported by the original disclosure for instance in Figure 4. The amendments to the claims can be viewed in the Amendments section in the Listing of Claims beginning on page 2 of this paper. No new matter has been added.

In the Office Action, the Examiner objected to the specification and the drawings for introducing new matter by not disclosing "wherein the external toothed periphery of the rotatable threaded collar is designed to be able to take an axial pressure from the preloading tool". The Applicant respectfully directs the Examiner's attention to page 11, lines 1-2 of the original application disclosing that the preloading tool 25 has a cogwheel 49 of the nut runner 45 "that corresponds to the teeth 21 on the threaded collar 15" and that "when the threaded collar 15 has been tightened, the pressure on the preloading tool 25 is relieved, so as to transfer the load to the nut 5 and the threaded collar 15". (See original disclosure page 12, lines 1-5.) This feature is also disclosed, for instance in Figure 7 of the disclosure. The Applicant submits, therefore, that no new matter has been added and respectfully requests that the Examiner withdraw this ground of rejection as to the specification and drawings.

Moreover, the Examiner objected to the drawings not showing that "the external flange of the opposing end portion of said nut has a toothed periphery." In

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response, the Applicant has cancelled claim 24. The Applicant believes that this is fully responsive to the objection and requests that the Examiner withdraw this ground of rejection as to claim 24.

Rejection of Claims 21-22 and 24 under 35 U.S.C. §112, first paragraph.

In the Office Action, claims 21-22 and 24 are rejected under 35 U.S.C. §112, first paragraph as failing to comply with the written description requirement. The Examiner indicates that the recitation in claim 22 "wherein the external toothed periphery of the rotatable threaded collar is designed to be able to take an axial pressure from the preloading tool, which pressure is distributed evenly or point-by-point about the periphery of the collar and directed towards the pipe flange" is not supported by the original disclosure. The Examiner further indicates that nowhere in the disclosure is the recitation of the external toothed periphery of the rotatable threaded collar is designed to be able to take an axial pressure from the preloading tool. The Applicant respectfully disagrees and points to, as discussed above, page 11 lines 1-2 and page 12 lines 1-5 wherein this feature is clearly disclosed. The feature is also clearly disclosed to a person skilled in the art in Figure 7. The Applicant submits, therefore, that claim 22 is fully supported by the specification, as discussed above, and respectfully requests that the Examiner withdraw this rejection of claim 21-22. Claim 24 has been cancelled herein, and therefore, the rejection as to that claim is rendered moot.

Rejection of Claims 21-22 and 24 under 35 U.S.C. §112, second paragraph.

The Examiner rejected claims 21-22 and 24 under 35 U.S.C. §112, second paragraph, for being indefinite. In response, the Applicant submits that claim 21 has been amended to clarify the features of the invention. The amendments to the claims can be viewed in the Amendments section beginning on page 2 of this paper in the Listing of claims. No new matter has been added and the Applicant submits that the amendments to claim 21 are fully responsive to the rejection and also overcome the rejection. The Applicant respectfully requests that the Examiner withdraw this rejection of claims 21-22. Claim 24 has been cancelled by this amendment, and therefore, the rejection of claim 24 is rendered moot in light of the

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amendment.

Rejection of Claims 21-24 under 35 U.S.C. §102(b).

In the Office Action, the Examiner rejected Claims 21-24 under 35 U.S.C. §102(b) as being anticipated by Boscaljon et al. (U.S. 6,050,690). The Applicant respectfully notes that claim 24 has been cancelled by this amendment and submits that the rejection of claim 24 is moot in light of the amendment.

The Applicant respectfully disagrees and submits that claims 21-22 are novel.

Simply put, the Applicant respectfully disagrees because the alleged prior art reference does not teach each and every limitation of claim 21. To anticipate a claim, a reference must show each and every limitation of the claim. Boscaljon et al. do not teach or disclose "a seal located between the first pipe end and the first flange and the second pipe end and the second flange". This arrangement is clearly illustrated in Figure 4 of the present invention.

In Boscaljon et al., as can be seen in Figure 8, the first and second flange each contain the seal. The seal is not located between the first pipe end and the first flange and the second pipe end and the second flange as is disclosed in Figure 4 of the present invention, wherein the seal 2 is between the pipe ends 1,1' which each have a flange 3,3' with the seal 2 therebetween, as opposed to embedded therein. At least for this reason, claim 21 is not anticipated by Boscaljon et al.

The Applicant respectfully asserts that because all of the features of claim 21 are not taught by the prior art claim 21 is novel. The Applicant respectfully requests that the Examiner withdraw this ground of rejection of claim 21. Claim 22 depends from claim 21 and also incorporates all of the features of claim 21. The additional features of claim 22 serve to further distinguish claim 22. At least for the reasons stated above, the Applicant respectfully requests that the Examiner withdraw the rejection of claims 21-22.

In light of the foregoing response, all the outstanding objections and rejections

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are considered overcome. The Applicant respectfully submits that this application should now be in condition for allowance and respectfully requests favorable consideration.

Respectfully submitted,

6-9-2009

Date



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